IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 3376 of 1992

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

AUROMBINDO MIRAMBICA EDUCATIONTRUST - Petitioner(s)
Versus
DISTRICT EDUCATION OFFICER - Respondent(s)

==========

Appearance :
(MR PB MAJMUDAR) for Petitioner(s) : 1,MR PRADEEP PATEL for Petitioner(s) : 1,
Mr. Dipen Desai, AGP for Respondent(s) : 1,

==========

CORAM : HONOURABLE MR.JUSTICE M.R. SHAH
Date : 19/06/2006

ORAL JUDGMENT

By way of the present petition under Article 226 of the Constitution of India, the petitioner Trust had prayed to direct the respondent District Education Officer to permit

the petitioner Trust to increase the tuition fee of all primary section classes of the school run by the petitioner Trust at the rate of Rs. 90 per month per student.

2. While admitting the present Special Civil Application in the year 1992, the learned Single Judge of this Court granted interim relief in terms of paragraph 11(c), i.e., to say that this Court permitted the petitioner Trust to increase the tuition fee of the primary section classes of the school run by it at the rate of Rs. 90 per student per month. The Special Civil Application was filed in the year 1992 and today, when the matter is called out for final hearing, i.e., in 2006, it appears that in between much water has flown and considering the fact that the petitioner Trust was permitted to increase the tuition fee by way of interim relief, which the petitioner Trust is recovering since 1992, this Special Civil Application is disposed of in terms

of the interim order. Rule is made absolute to the aforesaid extent with no order as to costs.

[M.R. Shah, J.]

rmr.